

## THE GENERAL ASSEMBLY OF PENNSYLVANIA

## HOUSE BILL

No. 1417 Session of  
2023

INTRODUCED BY CURRY, GAYDOS, KINKEAD, HILL-EVANS, McNEILL,  
SAMUELSON, RABB, HOWARD, MADDEN, SCHLOSSBERG, SANCHEZ,  
WARREN, KINSEY, DELLOSO, KHAN, SMITH-WADE-EL, STURLA, TAKAC,  
D. WILLIAMS, MULLINS, CERRATO, DONAHUE, ISAACSON, FRANKEL,  
KRAJEWSKI, BOROWSKI, O'MARA, T. DAVIS, SCHWEYER, KIM,  
FLEMING, YOUNG, KULIK, WAXMAN, GERGELY, MERSKI, STEELE,  
KAZEEM, GUENST, HANBIDGE, GREEN, CEPEDA-FREYITZ, FIEDLER,  
FREEMAN AND SHUSTERMAN, JUNE 14, 2023

AS REPORTED FROM COMMITTEE ON HEALTH, HOUSE OF REPRESENTATIVES,  
AS AMENDED, OCTOBER 18, 2023

## AN ACT

1 Amending the act of June 13, 1967 (P.L.31, No.21), entitled "An  
2 act to consolidate, editorially revise, and codify the public  
3 welfare laws of the Commonwealth," in public assistance,  
4 further providing for reimbursement for certain medical  
5 assistance items and services; and abrogating regulations.

6 The General Assembly of the Commonwealth of Pennsylvania  
7 hereby enacts as follows:

8 Section 1. Section 443.6(g) of the act of June 13, 1967  
9 (P.L.31, No.21), known as the Human Services Code, is amended

10 and the section is amended by adding a subsection to read:

11 Section 443.6. Reimbursement for Certain Medical Assistance  
12 Items and Services.--\* \* \*

13 (g) The department shall establish a benefit [packages]

14 package for [dental and] pharmacy services for medical

15 assistance recipients twenty-one years of age or older, and any

1 exceptions to [such] the benefit [packages] package as the  
2 department determines are appropriate. Notwithstanding any other  
3 provision of law, including this section, during State fiscal  
4 year 2011-2012, the department shall establish such benefit  
5 [packages] package, limits and exceptions thereto by publication  
6 of one or more notices in the Pennsylvania Bulletin. A notice  
7 shall describe the available benefit [packages] package or  
8 limits and any exceptions thereto. The benefit [packages]  
9 package, limits and exceptions thereto shall take effect as  
10 specified in the notice and remain in effect until changed by a  
11 subsequent notice issued on or before June 30, 2012, or  
12 thereafter by department regulation.

13 (h) The department shall establish a benefit package for  
14 dental services for medical assistance recipients twenty-one  
15 years of age or older. Notwithstanding any other provision of  
16 law, including this section, during State fiscal year 2023-2024, <--  
17 the department shall establish the benefit package by  
18 publication of one or more notices in the Pennsylvania Bulletin.  
19 A notice shall describe the available benefit package. The  
20 benefit package shall take effect as specified in the notice and  
21 remain in effect until changed by department regulation. THE <--  
22 DEPARTMENT SHALL REVISE THE BENEFIT PACKAGE FOR DENTAL SERVICES  
23 BY PUBLICATION OF A NOTICE IN THE PENNSYLVANIA BULLETIN. THE  
24 BENEFIT PACKAGE SHALL TAKE EFFECT AS SPECIFIED IN THE NOTICE.  
25 The department shall seek a State plan amendment or Federal  
26 waiver from the Centers for Medicare and Medicaid Services, if  
27 needed, to allow the medical assistance program to provide  
28 coverage for dental services in accordance with this section.  
29 The SUBJECT TO AVAILABLE FUNDING, THE benefit package under this <--  
30 subsection:

1 (1) shall include all coverages for dental services provided <--  
2 prior to the dental benefit package changes announced under 41  
3 Pa.B. 5133 (September 24, 2011); AND <--  
4 (2) may not remove any existing coverage for dental services <--  
5 or include a benefit limitation for covered dental services; and  
6 (3) (2) may include additional coverages for dental services <--  
7 beyond those currently provided and those provided prior to the  
8 dental benefit package changes announced under 41 Pa.B. 5133  
9 (September 24, 2011).

10 Section 2. All regulations and parts of regulations are  
11 abrogated to the extent of any inconsistency with this act.

12 Section 3. If a Federal waiver under section 443.6(h) of the  
13 act or a State plan amendment is approved by the Centers for  
14 Medicare and Medicaid Services, the Secretary of Human Services  
15 shall transmit notice of the approval to the Legislative  
16 Reference Bureau for publication in the next available issue of  
17 the Pennsylvania Bulletin.

18 Section 4. This act shall take effect as follows:

19 (1) Section 2 of this act shall take effect immediately  
20 following publication of the notice under section 3 of this  
21 act.

22 (2) The remainder of this act shall take effect  
23 immediately.